

09/806134

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Volker Sommer and Armin Sitte  
 Serial No. : 09/806,134  
 Filed : March 26, 2001  
 Title : METHOD AND RADIO COMMUNICATIONS SYSTEM FOR  
 TRANSMITTING DATA OVER A RADIO INTERFACE BETWEEN A BASE  
 STATION AND A SUBSCRIBER STATION

**BOX PCT**

Commissioner for Patents  
 Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371  
 mailed April 23, 2001, Applicant as a large entity submits herewith the following:

- ☒ Payment of the surcharge of \$130 for late filing of the declaration;
- ☒ A check in the total amount of \$130 is attached; and
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63.

06/22/2001 ATRAW1 00000026 09806134

01 FC:154 130.00 DP

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL694851500US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

6/19/01  
 Joshua B Cronin  
 Joshua Cronin

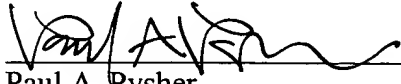
Applicant : Volker Sommer and Armin Sitte  
Serial No. : 09/806,134  
Filed : March 26, 2001  
Page : 2

Attorney's Docket No.: 12758-  
022001 / 1998P02881WOUS

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 19, 2001

  
\_\_\_\_\_  
Paul A. Rysher  
Reg. No. 40,780

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

|                      |                       |                  |
|----------------------|-----------------------|------------------|
| U.S. APPLICATION NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/806134            | SOMMER                | V 12758-022001   |

PAUL A PYSSHER  
225 FRANKLIN STREET  
BOSTON, MA 02110 2804

RECEIVED

MAY 04 2001

FISH & RICHARDSON, P.C.  
BOSTON OFFICE

DATE MAILED: 23 APR 2001

INTERNATIONAL APPLICATION NO.

PCT/DE99/03168

|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 01 OCT 99        | 05 OCT 98     |

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495)

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.  | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.  | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.   | <input type="checkbox"/> Other:  |
| <input type="checkbox"/> Priority Document.   |  |
| <input type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.     |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. |  |

Docketed By Practice Systems  
Action Code: Missing Requirements  
Date: 4-23-01  
Deadline: 10-23-01  
Initial: JMG

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the

BEST AVAILABLE COPY